

Remarks

Claims 1-7 are pending. Claims 4-5 are objected to. Claims 1-3, 6 and 7 are rejected.

Objections

Claim 4 is objected to as being in improper form. Applicant has amended claim 4 so that it refers to other claims in the alternative. Claim 4 is also not dependent from any multiple dependent claim. As such, Applicants request withdrawal of this objection.

Claim 5 is objected to as being in improper form. Applicant has amended claim 5 so that it refers to other claims in the alternative. As such, Applicants request withdrawal of this objection.

Rejection under 35 U.S.C. § 102(e)

Claims 1-3, 6 and 7 are rejected as being anticipated by Blount (U.S. Patent 5,563,285). It is alleged in the Action that Blount teaches a composition which contains N-vinyl-2-pyrrolidone and diethyl glycol and castor oil. In particular, Example 17 of Blount is cited as specifically teaching such composition. Applicant traverses the rejection.

The allegation of the teaching of Blount in the Action is a misinterpretation of Blount. In fact, Blount teaches "compositions containing silicon and phosphorous atoms and their preparation and use." More particularly, Example 17 of Blount teaches a composition having silicon tetrachloride and phosphorous oxytrichloride (the mixture of 1C) and an (emphasis added) organic compound selected from the list of compounds designated a) to z) (at lines 18 to 48 of column 10 of Blount) that is used in place of methanol in Example 2. That is, only one compound of a) to z) is selected in Blount; not (as is contended in the Action) a combination of the compounds designated a) to z). Thus, the allegation in the Action that Example 17 of Blount teaches Applicant's composition (having a combination of N-vinyl-2-pyrrolidone, diethyl glycol and castor oil) is incorrect. Applicant therefore submits that Blount does not anticipate Applicant's claimed subject matter and respectfully requests that the rejection be withdrawn.

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Rejection under 35 U.S.C. § 103(a)


Claims 1-3, 6 and 7 are rejected as being obvious over Blount (U.S. Patent 5,563,285). It is alleged in the Action that because Blount teaches a composition which contains N-vinyl-2-pyrrolidone and diethyl glycol and castor oil, it would be obvious to one of skill in the art to use the Blount composition with an intended use. In particular, Example 17 of Blount is cited as specifically teaching such composition. Applicant traverses the rejection.

For the reasons stated above for the rejection under 35 U.S.C. § 102(e), Applicant submits that Blount does not teach Applicant's claimed subject matter. As such, Applicant further submits that as Blount does not teach a composition having the combination of N-vinyl-2-pyrrolidone, diethyl glycol and castor oil, it also does not render Applicant's compositions obvious. Applicant therefore respectfully requests that the rejection be withdrawn

Applicants submit that the claims are in condition for allowance. Please apply any other charges or credits to deposit account 04-1105, referencing attorney docket number 50531-60590.

Respectfully submitted,

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